

#13/RCE  
7/2/03

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 35 USC 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA)	Application No.	09/831,413
	Filing Date	August 1, 2001
	First Named Inventor	Underhill
	Group Art Unit	2816
	Examiner Name	M.T. Nguyen
	Attorney Docket No	211178

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

**NOTE:** 37 CFR 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 CFR 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50082 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

### 1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other:
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Form PTO-1449
- v. ☒ Copies of documents listed in Form PTO-1449
- vi. ☒ Other: Verified Statement Claiming Small Entity Status

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### 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; fee under 37 CFR 1.17(i) required.)
- b. ☒ Applicant claims small entity status. See 37 CFR 1.27
- c. ☐ Other:

### 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The following fees are enclosed:
- i. ☒ RCE fee of \$375.00 (small entity) required under 37 CFR 1.17(e) \$375.00
- ii. ☐ One-month extension of time fee of \$110.00 (37 CFR 1.136 and 1.17)
- iii. ☐ Suspension of action fee of \$130.00 (37 CFR 1.17(i))
- iv. ☐ Other: Assignment Fee
- TOTAL FEES ENCLOSED** **\$375.00**

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- b. ☐ Check in the amount of \$ enclosed
- c. ☐ The Commissioner is hereby authorized to charge the above fees to Deposit Account No. 12-1216
- d. ☒ The Commissioner is hereby authorized to charge any deficiencies in the above fees or to credit any overpayments to Deposit Account No. 12-1216

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Pamela J. Ruschau	Registration No. (Attorney/Agent)	34,242
Signature	<i>Pamela Ruschau</i>	Date	April 28, 2003

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**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this RCE Transmittal is, on the date indicated below, ☐ being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or ☒ being facsimile transmitted to the U.S. Patent and Trademark Office.

Name (Print/Type)

Kathleen N. Grantz

Signature



Date

April 28, 2003

RCE Transmittal (Revised 12/31/02)